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TO: Office of the Secretary, FCC
FROM: Randall H. Knutson
RE: NPRM 95-59

JUL 6 1995

2 July '95

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The following is from the Declaration of Covenants, Conditions, Restrictions and Reservations of Easements for Lakepointe Planned Residential Development in Lacey, Washington:

Section 10.07 - Utility Lines and Antennas. No sewer, drainage or utility lines or wires or other devices for the communication or transmission of electrical current, power or signals, including telephone, television, microwave or radio upon any portion of a Lot, other than within buildings or constructed, placed or maintained underground or concealed in or under buildings or other structures. Nothing contained herein shall be deemed to forbid the erection or use of temporary power or telephone facilities incidental to the construction or repair of buildings on a Lot.

I would like to suggest that the language used in the resulting clarifications to the 1986 Preemption Order include a means to change the above so as to allow the installation of C band TVRO and DBS dish or plainer antennas. As written and interpreted by the Home Owners Association, any antenna, C band TVRO, 18" DBS, YAGI for VHF/UHF broadcast, or short-wave is in violation of the above.

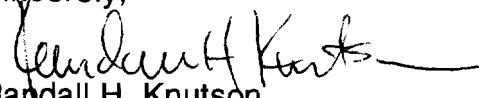
This completely eliminates consumer choice and inflicts a monopoly, cable or telco, on the Lot resident. Access to information is therefore limited by such restriction.

As proposed the aesthetic object may be vague and open to litigation. I have proposed to my local Home Owner Association a list of reasonable restriction to protect the aesthetics of this development and they are attached to this letter for your reference. They have acknowledge the receipt of the document but have failed to act or propose my ideas to the group. From a historical perspective it is like being the only one with an automobile in a town of horse owners.

Could you please advise me where the closest FCC Reading Room is located or inform me as to how to receive a copy of the 1986 Preemption Order and the resultant Order on or after the closing date of July 14th.

Thank you for taking the time to read my letter.

Sincerely,


Randall H. Knutson
5932 59th Loop SE
Lacey, WA 98513
360-438-1092

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List A B C D E

The following are some recommendations for the covenant contents:

The use of satellite communication antennae for Television Receive Only (TRVO) use shall be allowed under the following conditions.....

Antenna size shall not exceed 10' or 3.1 meters.

An antenna greater than 1.5 meter will be of mesh & tubular aluminum or aluminum alloy construction, no solid metal or fiberglass, with steel center structure mounted on 3" schedule 40 steel pipe supported in such a way as withstand sustained winds of 70 miles per hour and meet the manufacture's specification at time of installation.

An antenna at or under 1.5 meter shall be installed as per the manufactures specification.

No antenna will be allowed beyond the back yard fence line on either side of the home into the front yard area regardless of the sighting or satellite access problems.

All good faith efforts must be made to limit the location of the antenna so as not to be seen from the street side of the property. Roof or side mount installations may only be an option for an antenna at or under 1 meter. Any C/Ku Band antenna regardless of size must be ground mounted with pole height not to exceed 7 feet from base ground level.

A positionable antenna may be higher than the fence line but must not cross over the property line during arc rotation.

The dish color must be a shade of gray, olive, black or be painted (lead free and non-MW absorptive) to match the body or trim color of the home co-located on the lot..

All wire(s) from the antenna to the home foundation, if yard located, must be in schedule 200 PVC pipe and buried at a depth of 12 inches. Air-born and suspended cables will **not** be permitted.

There can be no more than two antennae or combinations of antennae per lot, however two antenna each greater than 1 meter shall not be allowed. Example: a C/Ku and DBS co-located on the same lot would be allowed.

Antennae that are professionally or self installed can be inspected by the Lakepointe Homeowners Association organization or their assigned representative to insure compliance with this agreement.